

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CHRISTOPHER M. MONGIELLO,

*Plaintiff,*

v.

INDYMAC BANK, F.S.B.,

*Defendant.*

No. 24-CV-2290 (KMK)

ORDER

KENNETH M. KARAS, United States District Judge:

Christopher M. Mongiello (“Plaintiff” or “Mongiello”), proceeding pro se, brings this Action against IndyMac Bank, F.S.B., (“Defendant” or “IndyMac”), seeking to quiet title for real property at issue, damages for slander of title, and alleging violations of the Real Estate Settlement Procedures Act (“RESPA”), 12 U.S.C. §§ 2601 et seq., through its implementing regulations, known as Regulation X, 12 C.F.R. §§ 1024.1 et seq (the “IndyMac Action”). (*See* Compl. (Dkt. No. 1).) Plaintiff now seeks the entry of default judgment against Defendant. (*See, e.g.,* Dkt. Nos. 42, 53.)

On March 3, 2025, the Court granted a motion to dismiss in a related case concerning the same real property between Plaintiff and Defendants HSBC Bank USA NA, PHH Corporation, and PHH Mortgage (the “HSBC Action”). *Mongiello v. HSBC Bank USA NA as Tr. for LMT 2006-6 Tr. Fund*, No. 24-CV-2291, 2025 WL 674345, at \*1 (S.D.N.Y. Mar. 3, 2025). In the HSBC Action, the Court found that Plaintiff’s quiet title and slander of title claims failed because Plaintiff had quitclaimed the property in question and found that Plaintiff failed to plausibly allege the asserted statutory violations. *Mongiello*, 2025 WL 674345, at \*5–8. The HSBC and

IndyMac Actions are virtually identical; in both, Plaintiff seeks to quiet title to real property, alleges statutory violations, and appears to assert a claim of slander of title.

Accordingly, Plaintiff is ORDERED to submit a brief no longer than 15 pages addressing whether and how the quitclaim dated May 30, 2024, affects this Action. The brief is due by no later than July 22, 2025.

SO ORDERED.

Dated: July 7, 2025  
White Plains, New York

A handwritten signature in black ink, appearing to read 'K. Karas', written over a horizontal line.

KENNETH M. KARAS  
United States District Judge